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**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

AMERICAN CIVIL LIBERTIES
UNION FOUNDATION OF
SOUTHERN CALIFORNIA,
Plaintiff,

v.

UNITED STATES IMMIGRATION
AND CUSTOMS ENFORCEMENT,
et al.,

Defendants.

Case No. 2:22-CV-04760-BFM

JOINT STATUS REPORT

Honorable Brianna Fuller Mircheff
United States Magistrate Judge

EUNICE CHO (*pro hac vice*)

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ACLU of Southern California v. U.S. ICE, et al.,

Case No. 2:22-CV-04760-BFM

STATUS REPORT

Pursuant to this Court’s September 22, 2025 Scheduling Notice (ECF No. 142), the Parties file this Joint Status Report (“JSR”) describing (1) the status of the case, (2) the Parties’ discussions about the relief ordered in the Court’s August 15, 2025 Summary Judgment Order (ECF No. 132), (3) the Parties’ discussion about Plaintiff’s fully-briefed Motion to Enforce the Court’s July 5, 2024 Summary Judgment Order (ECF Nos. 87, 125, 128, 129, 131), which the Court has yet to rule on, and (4) the Parties’ proposed timeline for next steps in the case and further suggestions on case management.

I. Report on Status of the Case

A. Plaintiff’s Report

Plaintiff ACLU of Southern California (“ACLU So Cal”) filed this Freedom of Information Act (“FOIA”) lawsuit over three years ago, on July 12, 2022, seeking information about Immigration and Customs Enforcement’s (“ICE”) practice of releasing immigrants facing imminent death in custody, which allows the agency to avoid accountability for their deaths. ECF No. 1 at ¶ 1. Under Department of Homeland Security (“DHS”) policies and practices, when a detainee dies in custody, ICE is required to report the death and investigate it to assess and ensure adherence to standards related detainee medical care. *Id.* ¶¶ 30-32. In the wake of media reports and in the course of its advocacy, ACLU So Cal sought to learn more about the nature and extent of this problematic practice, *id.* ¶¶ 2-6, which was even more consequential during the COVID-19 pandemic, when ICE was under the pressure of several lawsuits related to its sub-standard COVID-19 mitigation practices. *Id.* ¶¶ 25-29. During the pandemic, record numbers of immigration detainees contracted COVID-19 at ICE detention centers, became critically ill, and were hospitalized, therefore potentially subjecting them to ICE’s practice of deathbed releases resulting in hidden deaths. *Id.* ¶¶ 25-29.

1 To better understand the nature and extent of ICE’s problematic deathbed release
2 practice, on April 29, 2022, Plaintiff ACLU So Cal issued a FOIA Request to
3 Defendants DHS, ICE and DHS’s Office of Inspector General (“DHS-OIG”) seeking
4 nine categories of documents, including information about (1) the circumstances of
5 ICE’s deathbed releases of four individual detainees (Parts 1-3), and (2) the broader
6 nature and extent of these types of deathbed releases, including documents
7 identifying additional immigrants released in this way (Parts 4-9). ECF No. 1 at ¶ 35;
8 ECF No. 24 at ¶ 36. On July 12, 2022, when ACLU So Cal received no responsive
9 records from the target agencies, Plaintiff filed this lawsuit, which it amended to add
10 an additional Defendant on October 4, 2020. ECF Nos. 1, 24.

11 Over the course of the past three years, with significant assistance from the Court,
12 Plaintiff has prevailed in requiring Defendants to conduct adequate searches for
13 responsive documents and produce unjustifiably withheld information, and has
14 obtained a significant number of documents related to the four individuals named in
15 the Complaint who faced deathbed release. Plaintiff has prevailed on a motion for
16 judgment on the pleadings (ECF No. 54), largely prevailed on two sets of summary
17 judgment motions (ECF No. 87 as to Defendants OIG and DHS-CRCL; ECF No.
18 132 as to ICE), prevailed on a motion for reconsideration (ECF No. 100), and
19 prevailed on a motion for an expedited production rate as to ICE (ECF No. 62,
20 ordering ICE to process records at a rate of 3,000 pages/month). Although Plaintiff
21 prevailed in its most recent summary judgment motion with respect to ICE’s search
22 adequacy, ECF No. 132, and the parties have met and conferred in accordance with
23 the court’s summary judgment order, two important categories of records remain
24 outstanding. The parties may require further Court intervention to ensure that these
25 categories of records—which the Court has already ordered the government to turn
26 over—are produced in a complete and timely way.

1 *First*, the Court’s August 15, 2025 Summary Judgment Order (ECF No. 132)
2 requires ICE to conduct additional searches for records responsive to Parts 1-3 and
3 5-9 of the Request. Searches for records responsive to Parts 5-9 are of particular
4 importance as these Parts are tailored to reveal previously unknown ICE deathbed
5 releases. However, while the Parties have met and conferred about the parameters of
6 ICE’s further searches on this topic, ICE has yet to confirm its capability to conduct
7 searches for Parts 6 and 7, making it impossible for the Parties to discuss a timeframe
8 for production of the outstanding documents.

9 *Second*, on May 30, 2025, Plaintiff filed a Motion to Enforce the Court’s July 5,
10 2024 Summary Judgment Order (ECF No. 87) as to the additional search required of
11 DHS-CRCL. ECF No. 125. That motion is fully briefed, has yet to be ruled on. *See*
12 ECF Nos. 87, 125, 128, 129, 131). Parties have recently met and conferred on this
13 pending motion, and are in the process of negotiating a potential resolution, as
14 discussed below. However, as with the outstanding ICE records discussed above,
15 depending on the nature of DHS-CRCL’s withholding of responsive records, the
16 Parties may need to litigate the validity of these withholdings as well.

17 Upon Defendants’ full compliance with the above-referenced Summary
18 Judgement Orders and the resolution of any disputes that arise involving the
19 documents Defendants will newly produce, Plaintiff will be in a position to file a
20 motion for fees under FOIA’s prevailing party fee provision. *See* 5 U.S.C. §
21 552(a)(4)(E)(i). Plaintiff intends to meet and confer with Defendants regarding this
22 motion in due course, and will attempt to negotiate a resolution without Court
23 intervention if possible. However, should the parties be unable to reach agreement,
24 the Court may need to be involved in resolving some aspect of Plaintiff’s entitlement
25 to fees for these summary judgment motions.

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27 ///

1 **B. Defendants' Report**

2 By the express terms of the September 22, 2025 Scheduling Notice (Dkt. 142),
3 the Court directed the parties to file a joint status report that described: (1) the status
4 of the case and the parties' discussion about the relief ordered in the Court's August
5 15, 2025 Order on Parties' Cross Motions for Summary Judgment [Dkt. 132]. While
6 it is Plaintiff's prerogative to provide the above exhaustive (and slanted) procedural
7 history of this FOIA case, Defendants will not respond point by point but instead
8 focus its portions of this report on those topics explicitly requested by the Court.
9 While the below discussion provides the current status of the case with respect to
10 deadlines by which Defendants had agreed to process and produce materials, **these**
11 **dates were contingent on the Government averting a shutdown. The Federal**
12 **government shutdown as of 12:01 a.m. EDT on October 1, 2025 due to a lapse**
13 **in appropriations. The ICE FOIA team has been furloughed as a result of the**
14 **shutdown. ICE will be unable to process or produce any records until the**
15 **Government reopens.**

16 **II. Parties' Discussions Regarding Relief Ordered in Court's August 15,**
17 **2025 Order on Parties' Cross Motions for Summary Judgment (ECF**
18 **No. 132)**

19 In its August 15, 2025 Order on Parties' Cross Motions for Summary Judgment
20 granting, in part, Plaintiff's motion against Defendant ICE for failure to conduct an
21 adequate search (ECF No. 132), the Court ordered the Parties to (1) meet and confer
22 by September 5, 2025, to discuss "the date by which ICE will conduct" searches with
23 respect to Parts 1-3 (Dkt. 132 at 24); and (2) by September 15, 2025, ICE was to
24 provide an update regarding its search of "the relevant database for charges
25 associated with Procedure Codes 99291, A0427, A0431, and A0433" as well as "any
26 issues that may arise from conducting such a search." Dkt. 132 at 29. In addition, the
27 parties were ordered to meet and confer on a timeline for production of any
28 responsive records from the supplemental searches. *Id.* at 30.

1 The parties met and conferred on September 5, 2025, during which time ICE
2 confirmed that it had conducted the searches with respect to Parts 1-3. As for the
3 items to be discussed with respect to the second portion of the Court's order, on
4 September 11, 2025, the Parties met via videoconference. The Parties had subsequent
5 discussions in-person at the last Status Conference on September 16, 2025, and
6 through follow-up emails. The following are the Parties' agreements regarding next
7 steps and timing on these matters, as well as open issues that have yet to be resolved.

8 **A. Parts 1-3**

9 **1. Plaintiff's Report**

10 The Court ordered ICE to conduct additional searches for responsive records
11 related to the deathbed release of Martin Vargas Arellano from two "leads": (1) Scott
12 James, ICE's Detention and Deportation Officer in its Field Operations Division, and
13 (2) Corey Price, ICE's former Executive Associate Director for Enforcement and
14 Removal. ECF 132 at 22-24. Through the meet and confer process, ICE provided
15 Plaintiff hits counts of potentially responsive records for these two leads. Based on
16 that information, the Parties agreed that ICE would commence processing of the
17 1,696 pages of emails it located for Scott James, and that it would produce the 52
18 "unique documents" it located for Corey Price excluding attachments to those
19 documents, except for any expert reports which it will process and produce.

20 Regarding the timing of ICE's processing of these records, ICE agreed that it
21 would produce responsive records for Scott James by October 15, 2025, and then
22 proceed to process the agreed-upon records from Corey Price after it produces
23 records responsive to Part 9, discussed below. Considering the standing order in this
24 case that ICE process records at a rate of 3,000 pages per month (ECF No. 62),
25 Plaintiff anticipates that ICE should be able to produce both the records for Part 9
26 and at least some of the Price documents by October 15, 2025. To assess how long it
27 will take ICE to complete production of the Price documents, Plaintiff requested that

1 ICE identify with this JSR the total number of pages it will be processing for him
2 (including the 52 unique documents, excluding attachments but including expert
3 reports). ICE states below that it will process just 597 pages of records, a number
4 well within the 3,000 pages per month that the Court has previously ordered for ICE.
5 However, Plaintiffs believe that ICE should be able to produce both the 3,000 pages
6 of .pdf files, as well as Excel spreadsheets, in the same month. Notably, ICE routinely
7 produces Excel spreadsheets as unitary documents in FOIA case—even in excess of
8 1,000,000 rows of data—without reference to page count designed for production of
9 records in .pdf format. *See, e.g. Am. C.L. Union Immigrants' Rts. Project v. United*
10 *States Immigr. & Customs Enf't*, 58 F.4th 643, 649 (2d Cir. 2023) (describing
11 production of excel spreadsheet with over 1,000,000 rows); *Am. C.L. Union v. U.S.*
12 *Dep't of Homeland Sec.*, 973 F. Supp. 2d 306, 312 (S.D.N.Y. 2013) (production of
13 spreadsheet with 1,101,967 data points regarding ICE detainees). Because redactions
14 of data categories can be achieved through batch processing in Excel, the
15 administrative burden of processing such information is less onerous than individual
16 word redaction. *See, e.g. Am. Immigr. Council v. U.S. Immigr. & Custom Enf't*, 464
17 F. Supp. 3d 228, 239 n.2 (D.D.C. 2020).

18 **2. Defendants' Report**

19 By October 15, 2025, ICE had planned to process the Scott James records and an
20 Excel spreadsheet for Part 9 (in native format). The Excel spreadsheet contains
21 69,000 rows of data. If printed, that would equal about 20,000 pages. ICE also
22 planned to begin processing the 40 Excel spreadsheets for Part 8 (in native format)
23 for the October 15, 2025 production. ICE then planned to process the Corey Price
24 materials (beginning in November 2025) and any remaining of the 40 Excel
25 spreadsheets for Part 8 (in native format). Thus, Plaintiff is incorrect in saying that
26 ICE “should be able to produce both the records for Part 9 and at least some of the
27 Price documents by October 15, 2025.”

1 With respect to the Corey Price materials, there are 587 pages of records. This
2 figure does not include 88 pages which will need to be referred for consultation to
3 DHS Headquarters.

4 **B. Part 5**

5 **1. Plaintiff's Report**

6 The Court ordered ICE to conduct an additional search for records responsive
7 to Part 5, specifically requiring it to search for and produce records held by Dr. Ada
8 Rivera, Deputy Medical Director of IHSC. ECF No. 132 at 24-25. ICE conducted
9 this search, and produced a set of hit counts based on agreed-upon search terms
10 totaling 96,325 documents. Given this large volume of potentially responsive
11 records, Plaintiff requested a breakdown of the potentially responsive records by
12 year, which ICE provided on September 17, 2025.

13 Based on this information, Plaintiff has proposed narrowing the universe of
14 responsive records by excluding five search terms, and that ICE provided an updated
15 page count after the results are deduplicated and threaded by October 3, 2025.
16 Plaintiff anticipates that ICE can commence processing the Dr. Ada Rivera records
17 after it completes production of the records responsive to Part 9, discussed above, but
18 has asked ICE to meet and confer in this issue by October 10, 2025.

19 **2. Defendants' Report**

20 In actuality, ICE provided the requested breakdown of records, in ten separate
21 Excel Spreadsheets on September 17, 2025. Nine days later, Plaintiff proposed, for
22 the first time, that ICE provide, by October 3, 2025, a total aggregate deduplicated
23 and threaded hit count (in pages) for documents that are responsive to the search
24 terms provided, excluding the following search terms: custody, surgery, specialist,
25 hospital*, and emergency.

26 ICE excluded the requested terms. The number of documents did not change.
27 That is because each of the excluded terms exist with a term that was not excluded.

C. Parts 6 and 7

1. Plaintiff's Report

The Court ordered ICE to conduct an additional search for records responsive to Part 5, specifically requiring ICE to search for and produce detainee Significant Incident Reports (“SIRs”) held by ICE’s Joint Intelligence Operations Center (“JIOC”), place those documents in the Relativity document management software program, and run a search for responsive records in Relativity. ECF No. 132 at 26. The Court also ordered that if ICE encounters technical difficulties, ICE must make its technical staff available to Plaintiff to meet and confer about potential ways to overcome the technical difficulties with conducting the search. *Id.* The Parties have agreed on a set of search terms and date parameters for this search.

On September 17, 2025, ICE proposed that “[it] will endeavor to provide an update on whether it is able to run the requested search for Parts 6-7. If it can, [ICE] will try to provide hit counts by September 30th, but do not yet know if such will be feasible. If ICE cannot conduct this search, [ICE] will so advise, and [the Parties] can then confer on setting up a call with the technical experts pursuant to the Court’s order.” Plaintiff is amenable to this approach, and would further propose that if ICE determines by September 30, 2025 that the search is not feasible, it will inform Plaintiff at that time and the Parties will schedule the call with ICE’s technical expert no later than October 10, 2025.

2. Defendants' Report

Following further discussions with ICE technical staff, it was able to conduct a search for potentially responsive records for Parts 6 and 7. It did so by searching a database behind the Significant Event Notification (SEN). It did so using the following terms proposed by Plaintiff: death; died; deceased; ambulance; emergency; “offsite referral”; “life support”; coma; ventilator; “intensive care”; “critical condition”; hospice; palliative; release, and then from that set of results, searching

1 with the following Boolean search terms: (release or transfer or benefits or parole or
2 “alternative detention” or discharge or OSUP or “order of supervision” or
3 humanitarian) AND (custody or death or died or deceased or “emergency
4 department” or “emergency services” or “poor outcome” or “life support” or “offsite
5 referral” or coma or unconscious or ventilator or “intensive care” or “medical
6 observation” or ICU or “critical condition” or hospice or palliative or fatal).

7 This has resulted in 26,115 individual Significant Incident Reports (SIR) that are
8 *potentially* responsive. The results populate as Excel spreadsheets that provide the
9 date the SIR was created, a title of the report, a report narrative, a document number,
10 and the report’s author. However, the narrative summary of each report would need
11 to be manually reviewed to determine whether it is responsive and then, if it is,
12 processed. ICE is determining whether it is possible to further narrow the results
13 without the need to manually review each and every of the 26,115 narrative
14 summaries.

15 **D. Part 8**

16 **1. Plaintiff’s Report**

17 The Court ordered ICE to conduct an additional search for records responsive to
18 Part 8, specifically requiring it to produce spreadsheets regarding hospitalization of
19 detainees from the *Frailhat* nationwide COVID-19 class litigation compliance
20 system, along with records from ICE Enforcement and Removal Operations (“ERO”)
21 sufficient for Plaintiff to identify release dates for people noted in the spreadsheet as
22 hospitalized with COVID-19. ECF No. 32 at 27-29. ICE conducted this search and
23 located 41 spreadsheets, which it agreed to produce to Plaintiff in native “Excel”
24 format. ICE agreed to commence processing these spreadsheets for production at the
25 same time it processes the Corey Price records, but that it may not be producing them
26 at the same time it produces the Corey Price records.

27 **2. Defendants’ Report**

1 The Parties read the portion of the Court’s Order on Parties’ Cross Motions for
2 Summary Judgment differently. By the express terms of the order, ICE was ordered
3 to “conduct the search of the *Frailhat* spreadsheet as described by Plaintiff and allow
4 Plaintiff to cross compare the responsive information with ERO release records.”
5 Dkt. 132 at 28-29. Nowhere in the order does it require ICE to search ERO release
6 records and certainly not to produce ERO release records.

7 Separately, there are 40 Excel spreadsheets for Part 8, which ICE had agreed to
8 begin producing in native format beginning in October 2025, and continuing to
9 November 2025, if necessary.

10 **E. Part 9**

11 **1. Plaintiff’s Report**

12 The Court ordered ICE to conduct an additional search of records responsive to
13 Part 9, including a search of its claims database for medical charges incurred for
14 detainees associated with four different Procedure Codes related to care for life-
15 threatening conditions. ECF No. 132 at 29. ICE conducted this search, and located a
16 single spreadsheet with responsive information. It has agreed to produce the
17 spreadsheet in native “Excel” format once it completes production of the Scott James
18 emails discussed above, presumably by October 15, 2025. As noted above, ICE
19 should be able to readily produce Excel spreadsheets as a unitary file, without
20 reference to rows of data. *See, e.g. Am. C.L. Union Immigrants’ Rts. Project*, 58 F.4th
21 at 649 (production of unitary excel spreadsheet with over 1,000,000 rows); *Am. C.L.*
22 *Union*, 973 F. Supp. 2d at 312 (production of spreadsheet with 1,101,967 data points
23 regarding ICE detainees); *Am. Immigr. Council*, 464 F. Supp. 3d at 239 n.2
24 (describing batch processing in Excel).

25 **2. Defendants’ Report**

26 As stated above in portion A.2. of this Report, by October 15, 2025, ICE planned
27 to process the Scott James records and an Excel spreadsheet for Part 9 (in native

1 format). The Excel spreadsheet contains 69,000 rows of data. If printed, that would
2 equal about 20,000 pages.

3 **III. Parties' Discussions Regarding Plaintiff's Motion to Enforce the**
4 **Court's July 5, 2024 Summary Judgment Order (ECF Nos. 87, 125-**
5 **131)**

6 **A. Plaintiff's Report**

7 In its July 5, 2024 Summary Judgment Order, ECF No. 87, the Court found that
8 DHS-CRCL had failed to produce responsive records. With the Court's assistance,
9 the Parties agreed on a process for searching for and arriving at the universe of
10 potentially responsive records from two databases, DHS-CRCL's Case Management
11 System ("CMS") and ICE's "OCIO" email database, utilizing agreed-upon search
12 terms. Dkt. 125 at 6-7. While DHS-CRCL conducted the ordered searches, by May
13 30, 2025 it had yet to produce the responsive records, including 6,500 pages of OCIO
14 records. Plaintiff therefore filed a motion to expedite the processing of those records
15 to 3,000 pages per month, consistent with processing rate the Court had ordered for
16 ICE. Dkt. 125.

17 However, in the midst of briefing this motion, Defendants informed Plaintiff that
18 in light of a Reduction In Force at DHS-CRCL, DHS would take over this search.
19 However, DHS could no longer locate the 6,500 pages of OCIO documents yet to be
20 processed, and DHS's attempt to recreate the search had resulted in the universe of
21 responsive documents ballooning to approximately 600,000 pages of records. ECF
22 No. 128 at 10-11. DHS then unilaterally decided to cull those records using "a more
23 detailed and in-depth keyword search," *Id.* at 10, in contravention of the process the
24 Parties agreed to with the Court, ECF No. 108, 109, 122, which ultimately reduced
25 the records to 1,399 pages (approximately over 5,000 less than DHS-CRCL
26 previously located). ECF No. 130 at 3. DHS also determined to narrow the search
27 results to exclude documents that, in its view, other components "would . . . have,"

1 *Id.* at 9 (citing ECF No. 129-1 at ¶ 3, without identifying who those components are,
2 whether they have produced the documents in this litigation, or any other justification
3 for excluding them from DHS-CRCL’s production obligations).

4 In light of these developments, in its Reply brief Plaintiff asked the Court to order
5 CRCL to “identify the search terms and other parameters it used to reduce the
6 universe of responsive OCIO documents to 1,399 pages, and engage in a Court-
7 supervised meet and confer process to explore expanding the universe of responsive
8 documents based on appropriate parameters that include input from Plaintiff,
9 followed by the Court’s issuance of a production rate and deadline for the production
10 of the outstanding OCIO documents.” ECF No. 130 at 4.

11 As discussed, former presiding Judge Kewalramani did not rule on Plaintiff’s
12 motion, but the Parties recently met and conferred on it. On September 16, 2025,
13 Plaintiff specifically asked that DHS-CRCL “identify[] how it culled the
14 approximately 600,000 OCIO records down to 1,399” and provide a search summary
15 including “what search terms CRCL used to arrive at the 1,399 responsive records,
16 and any other methods it used to cull the records.” Plaintiff also asked that DHS
17 produce this search summary by September 30, and that the Parties meet and confer
18 by October 7. On September 17, 2025 Defendants represented that they have “asked
19 CRCL for a search summary” but do “not know whether CRCL will be able to
20 provide such a summary by September 30th.”

21 Moreover, DHS reports that it has completed its production of responsive records
22 as of September 19, 2025, and has asked Plaintiff to identify a list of “exemptions
23 Plaintiff may challenge” from this production, so that DHS can prepare a *Vaughn*
24 index for them. Plaintiff agrees to do so by October 24, 2025.

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B. Defendant's Report

As a practical matter, the Court's July 8, 2024 Order did not find that DHS failed to produce responsive records as Plaintiff represents. Rather, it found that DHS's search was inadequate because it refused to search CRCL. *See* Dkt. 87 at 35.

Separately, in its Motion to Enforce, Dkt. 125, Plaintiff sought as relief an order requiring that DHS process "the approximately 6,500 remaining pages of OCIO records at a rate of at least 3,000 pages per month, with the first production taking place one month after the Court's order on this motion." Dkt. 125 at 10.

Among other things, DHS argued that Plaintiff's motion was moot. *See generally* Dkt. 128. In its Reply brief, Plaintiff took umbrage with DHS's processing of the FOIA request and sought materially different relief than originally requested in its moving papers. *See generally* Dkt. 131.

Judge Kewalramani (Ret.) did not issue an order on the motion and, despite making *ex parte* requests throughout this litigation, Plaintiff never requested that the Court adjudicate the motion, instead allowing it to remain under submission.

Unquestionably, the motion is moot. CRCL made a final supplemental production on October 1, 2025, following a review of 588 pages. There is thus nothing further for the Court to order in terms of processing/production from CRCL which is the relief Plaintiff originally sought in that motion. *See* Dkt. 125 at 10.

What remains is Plaintiff's demand that DHS explain its search for responsive records. The proper procedural vehicle for doing so is via a motion for summary judgment as both DHS OIG and ICE have done in this matter. To that end, DHS does not oppose providing a search summary to Plaintiff and was agreeable to doing so by October 24, 2025, as Plaintiff requested. However, the Government shutdown will likely delay DHS's ability to do so.

Last, on September 17, 2025, DHS requested that Plaintiff identify any exemptions or withholdings it may challenge with respect to CRCL's productions.

1 Plaintiff has agreed to do so, but has requested until October 24, 2025. Yet Plaintiff
2 then requests that DHS provide a *Vaughn* Index by November 24, 2025. Practically
3 speaking, it should not take Plaintiff over a month to review the CRCL records and
4 notify DHS whether it seeks to challenge any withholdings or exemptions. But CRCL
5 does not oppose Plaintiff providing this information by October 24, 2025, so long as
6 CRCL may have until December 15, 2025, to provide the requested *Vaughn* Index.

7 **IV. Parties' Proposed Case Timeline and Further Suggestions on Case** 8 **Management**

9 **A. Plaintiff's Report**

10 Regarding the case timeline, based on the agreements of the Parties and
11 outstanding issues outlined above, Plaintiff proposes that the Court issue an Order as
12 follows:

13 Regarding compliance with the Court's **August 15, 2025 Summary**
14 **Judgment Order (ECF No. 132)**, the Court should order the following deadlines:

15 **Parts 1-3:** As to custodian Scott James, ICE shall complete its production of
16 responsive records by October 15, 2025. As to custodian Corey Price, ICE shall
17 commence its production once it completes its production of the Scott James
18 documents and the Excel document responsive to Part 9.

19 **Part 5:** ICE shall run a narrowed search of the Dr. Ada Rivera documents
20 based after exclusion of the five search terms identified by Plaintiff on September 26,
21 2025, and provide a page count of the universe narrowed documents to Plaintiff by
22 October 3, 2020. The Parties shall further meet and confer on a schedule for
23 production of the Dr. Ada Rivera documents by October 10, 2020.

24 **Parts 6-7:** Regarding the responsive SIRS, to the extent ICE cannot apply the
25 agreed upon search terms using the Relativity software, the Parties shall meet and
26 confer with ICE's technical staff no later than October 10, 2025 to assess whether
27 other appropriate means of search are possible. The Parties shall report to the Court

1 whether a resolution is reached, and if not whether Court assistance is necessary to
2 resolve any disputes.

3 **Part 8:** Defendants shall process the 41 responsive spreadsheets concurrently
4 with the schedule for the Corey Price documents, and will produce them with its
5 November 15, 2025 production.

6 **Part 9:** ICE shall produce the single excel spreadsheet by October 15, 2025.

7 Regarding compliance with the Court's **July 5, 2024 Summary Judgment**
8 **Order (ECF No. 87)**, DHS-CRCL shall produce a search summary including the
9 information Plaintiff identified its September 16, 2025 email by October 24, 2025.
10 Also, by October 24, 2025 Plaintiff shall provide DHS-CRCL a list of documents
11 which DHS-CRCL has redacted in whole or part subject to a purported FOIA
12 exemption, and DHS-CRCL shall produce a Vaughn Index justifying those
13 withholdings by December 15, 2025.

14 Further, if the Court believes it needs more information before it issues any
15 order on the Parties' proposals regarding compliance with the August 5, 2025 and
16 July 6, 2024 Summary Judgment Orders, Plaintiff suggests that it set a Status
17 Conference. Plaintiff is available for a Status Conference on the following dates:

18 October 6, 2025: 10 am to 12 pm

19 October 7, 2025: 10 am to 2 pm

20 October 8, 2025: 10 am to 2 pm

21 October 9, 2025: 10 am to 2 pm

22 October 10, 2025: 10 am to 12 pm

23 Regarding further suggestions for case management, Plaintiff suggests that the
24 Court order a further Status Conference approximately three months from October 3,
25 2025, with a Joint Status Report due a week prior, to address any issues that may be
26 delaying final resolution of this case. At the Status Conference, the Parties may wish
27 to propose deadlines for potential additional summary judgement motions as to the

adequacy of Defendants pending searches and productions, including the validity of their withholding of responsive documents on the basis of a purported FOIA exemption, and/or a schedule for Plaintiff's fee motions.

B. Defendants' Report

Defendants are generally in agreement with the foregoing proposed timeline with respect to processing with respect to Parts 1-3, 8 (noting that there are 40 Excel spreadsheets), and Part 9. The processing order would therefore be as follows:

Event	Deadline
ICE produces records from Scott James (1,696 pages), the Excel Spreadsheet for Part 9 (comprised of 69,000 rows of data that, if printed, would equal about 20,000 pages), and start of the 40 Excel Spreadsheets for Part 8	October 15, 2025
ICE produces records from Corey Price (587 pages of records) and any of the remaining 40 Excel Spreadsheets for Part 8	November 15, 2025
ICE begins producing records for Part 5	December 15, 2025

In the interim, ICE will also work to determine whether it is possible to further narrow the results for Parts 6 and 7 without the need to manually review each and every of the 26,115 narrative summaries

With respect to the CRCL records, the following timeline is proposed:

Event	Deadline
CRCL makes final production	October 1, 2025
CRCL provides search summary to Plaintiff	October 24, 2025
Plaintiff identifies any exemptions or withholdings it may seek to challenge and informs CRCL	October 24, 2025
CRCL provides <i>Vaughn</i> Index to Plaintiff	December 15, 2025

Again, the above timelines were contingent on the avoidance of a government shutdown. The ICE FOIA team has been furloughed because of the government shutdown.

Defendants do not believe an immediate status conference is necessary. However, it concurs with Plaintiff's proposal of a further Joint Status Report. Defendants propose that such a report be due by December 16, 2025 and that, after receiving the Joint Status Report, that Court could then determine whether a status conference was necessary.

Respectfully submitted this 1st day of October, 2025.

/s/ Laboni Hoq

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*Pursuant to Local Rule 5-4.3.4(2)(i), the filer attests that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.